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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/816,245

04/01/2004

Larry A. Strobel

870199.401

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10/13/2006

SEED INTELLECTUAL PROPERTY LAW GROUP PLLC
701 FIFTH AVE
SUITE 6300
SEATTLE, WA 98104

EXAMINER

PAPE, ZACHARY

ART UNIT

PAPER NUMBER

2835

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/816,245

Applicant(s)

STROBEL, LARRY A.

Examiner

Zachary M. Pape

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-7,9-17,19-28,30 and 31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☒ Claim(s) 1,3-7,9-17,19 and 24-28 is/are allowed.
6) ☒ Claim(s) 20-23,30 and 31 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 18 May 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

The following detailed action is in response to the correspondence filed 8/3/2006.

Interview

The Examiner acknowledges the Applicant's remarks regarding the interview on 7/28/2006 however the Examiner wishes to note that the interview did not take place with Examiner Field as remarked, rather with Examiner Lea-Edmonds as noted on the interview summary dated 8/4/2006.

Drawings

1. The drawings are objected to because Fig 7 illustrates the output vent as being element number 120, when according to the specification (See Page 11) the output vent is element 201. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date

of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities:
The drawings show element 119 which is not described in the specification.
Appropriate correction is required.

Claim Rejections - 35 USC § 102

Claim 30 is rejected under 35 U.S.C. 102(b) as being anticipated by Anderson et al. (US 4,352,274).

With respect to claim 30, Anderson et al. further teaches an environmental control unit for a personal computer (Comprising of the elements shown in Figs 5-7) comprising: an enclosure (402) configured to substantially enclose the personal computer; and an air conditioning unit (Comprising 564) configured to selectively draw air into the unit from a first region (Near 560) of the enclosure, or draw air from a region of the exterior of the enclosure while air from the first region of the enclosure is vented to the exterior, cool the air (Via 514) to within a selected range of temperatures and blow the air into a second region (Just after the evaporator 514) of the enclosure.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Viallet (US 5,917,698) in view of Hilpert (US 5,706,668).

With respect to claim 20, Viallet teaches, a personal computer (100), comprising: a chassis (110) of the personal computer, configured to receive computer components (Column 2, Lines 39-47); a tower case (See Fig 1 adjacent number 100) configured to be coupled to the chassis in a substantially airtight seal and enclose the components. Viallet is silent as to a refrigeration unit coupled to the chassis and configured to draw air from a first region within the case, cool the air to within a selected temperature range, and output the cooled air into a second region within the case. Hilpert teaches a refrigeration unit (1) configured to draw air from a first region within the case, cool the air to within a selected temperature range, and output the cooled air into a second region within the case (Column 2, Lines 51-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to couple the chassis of Viallet to the refrigeration unit of Hilpert to allow the computer of Viallet to operate when the air temperature is high (Column 1, Lines 60-64).

With respect to claim 21, Viallet further teaches a motherboard, a hard drive, and a power supply, each coupled to the chassis (Column 2, Lines 43-46).

With respect to claim 22, Viallet further teaches a disk drive (Column 2, Line 43) coupled to the chassis, the case being configured to provide access to the disk drive from outside the case (See Fig 1).

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Viallet in view of Hilpert and further in view of Le et al. (US 5,038,308)

With respect to claim 23, Viallet in view of Hilpert teach the limitations of claim 20 above, but fails to teach that the case includes a video port and the system further comprises a video monitor coupled to the video port. Le et al teaches that a case (102) includes a video port (164) and the system further comprises a video monitor (104) coupled to the video port (The video port and the video monitor must inherently be connected via a cable to pass the information from the computer main system (102) to the video monitor (104)). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Le et al. with that of Viallet and Hilpert to provide graphical interaction with the personal computer.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al. in view of Novotny (US 6,896,612).

With respect to claim 31, Anderson et al. teaches the limitations of claim 30 as taught above, and further teaches a means (560) for comparing the temperature of air in the first region of the enclosure with the temperature of air outside the enclosure, but fails to teach a control circuit to control the region from which the air is selected.

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Novotny teaches a control circuit to control the region from which the air is selected (See Column 4 Line 66 – Column 5, Line 24 where Novotny teaches the louvers opening upon a signal to increase the pressure within the system based on a temperature detector 541). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Novotny with that of Anderson et al. to provide cooling to the system in the event that the dedicated cooling system fails (Novotny: Column 4, Line 66 – Column 5 Line 1).

Allowable Subject Matter

4. Claims 1, 3-7, 9-17, 19, 24-28 are allowed.

5. The following is an examiner's statement of reasons for allowance:

With respect to claims 1, 3-5, the allowability resides in the overall structure of the device as recited in independent claim 1 and at least in part because claim 1 recites, "a personal computer, including a power supply.. a gasket positioned in a space between an inner surface of the cabinet and an outer surface of the personal computer, and configured to prevent passage of air through a space between the personal computer and the inner surface of the cabinet".

The aforementioned limitations in combination with all remaining limitations of claim 1 are believed to render said claim 1 and all claims dependent therefrom (Claims 3-5) patentable over the art of record.

With respect to claims 6-7, 9-17, 19, and 28, the allowability resides in the overall structure of the device as recited in independent claim 6 and at least in part because

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claim 6 recites, "separately encased in a tower case; means for preventing circulation of air within the enclosure and around an exterior of a case of the personal computer between a first region of the enclosure and a second region of the enclosure".

The aforementioned limitations in combination with all remaining limitations of claim 6 are believed to render said claim 6 and all claims dependent therefrom (Claims 7, 9-17, 19, and 28) patentable over the art of record.

With respect to claims 24-27, the allowability resides in the overall structure of the device as recited in independent claim 24 and at least in part because claim 24 recites, "a personal computer.. including a power supply.. blowing air from the cooling unit to a first region within the enclosure while preventing air from circulating to a second region within the enclosure without passing through the personal computer".

The aforementioned limitations in combination with all remaining limitations of claim 24 are believed to render said claim 24 and all claims dependent therefrom (Claims 25-27) patentable over the art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US 5,559,673 and US 20050185377 which teach a cooling unit attached to a computer.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached on Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ZMP


LISA LEA-EDMONDS
PRIMARY EXAMINER